

REMARKS/ARGUMENTS

Prior to the entry of this Amendment, claims 1-4, 6-14 and 16-25 were pending in this application. Claims 1-4 and 6-11 have been amended, no claims have been added and claims 23-25 have been canceled herein. Therefore, claims 1-4, 6-14, and 16-22 remain pending in this application. Applicants respectfully request reconsideration of this application for at least the reasons presented below.

Claims 1, 3, 4, 6-8, 10, 11, 13, 14, 16-18 and 20-25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U. S. Patent Publication No. US 2004/0240651 A1 to Adams et al. (hereinafter "Adams") in view of U. S. Patent No. 6,515,968 B1 to Combar et al. (hereinafter "Combar").

Claims 2, 9, 12 and 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Adams in view of Combar and further in view of U. S. Patent No. 6,653,611 B1 to Norris et al. (hereinafter "Norris").

35 U.S.C. § 103 Rejection, Adams in view of Combar

The Office Action has rejected claims 1, 3, 4, 6-8, 10, 11, 13, 14, 16-18 and 20-25 under 35 U.S.C. § 103(a) as being unpatentable over Adams in view of Combar. The Applicants respectfully submit that the Office Action does not establish a *prima facie* case of obviousness in rejecting these claims. Therefore, the Applicant requests reconsideration and withdrawal of the rejection.

In order to establish a *prima facie* case of obviousness, the Office Action must establish: 1) some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or combine their teachings; 2) a reasonable expectation of success of such a modification or combination; and 3) a teaching or suggestion in the cited prior art of each claimed limitation.

See MPEP §706.02(j). However, the references cited by the Office Action do not teach or suggest each claimed limitation. For example, none of the references, alone or in combination, teach or suggest sending a screen viewable query or communication to a called station that includes a list of call disposition options.

Adams "relates to a telecommunications system for allowing a subscriber connected to the Internet via a dial-up connection to receive notification and caller identification information concerning an incoming telephone call." (para. 3) Under Adams, if a subscriber to the system is online at a time a call to that subscriber is received, a message is sent from an Internet Call Waiting Server (ICWS) to client software on the subscriber's computer. (para. 52) This message causes the client software to present an alert to the subscriber. (para. 82) However, Adams does not teach or suggest the message itself being screen viewable. (para 83) Rather, it is the client software "provides a visual and audible alert to the subscriber of an incoming telephone call." (para. 82) Furthermore, nothing in Adams teaches or suggest that the message to the client software includes a list or other indication of options for handling the call. Rather, Adams only discloses the message including caller identification information and presumably the client software provides the options for handling the call.

Combar "provides an Internet enabled and Web-based remote interface that allows a customer to retrieve their unpriced call traffic detail information and call disposition statistics in the form of reports, as well as access and view their real-time call traffic details relating to their special service call numbers." (Col. 3, line 64 - col. 4, line 2) However, Combar does not teach or suggest sending a screen viewable query or communication to a called station that includes a list of call disposition options.

Claim 1, upon which claims 2-4 and 6-10 depend, recites in part "sending a screen viewable query to the called station via the data network requesting disposition of said telephone call, wherein the query includes a list of call disposition options for said telephone call." However, neither reference, alone or in combination teaches or suggests sending a screen

viewable query to a called station that includes a list of call disposition options, i.e., a screen viewable notification with elements representing the disposition options. For at least these reasons, claims 1-4 and 6-10 should be allowed.

Claim 11, upon which claims 12-14 and 16-22 depend, recites in part "sending a screen viewable communication to the called station including available calling station identification information and a query to the called station via the Internet requesting a decision from a list of call disposition options for said telephone call." However, neither reference, alone or in combination teaches or suggests sending a screen viewable communication and a query to a called station that includes a list of call disposition options, i.e., a screen viewable notification with elements representing the disposition options. For at least these reasons, claims 11-14 and 16-22 should be allowed.

35 U.S.C. § 103 Rejection, Adams in view of Combar and Norris

The Office Action has rejected claims 2, 9, 12 and 19 under 35 U.S.C. § 103(a) as being unpatentable over Adams in view of Combar and further in view of Norris. As discussed above, claim 1, upon which claims 2 and 9 depend, and claim 11, upon which claims 12 and 19 depend, are thought to be allowable. Therefore, claims 2, 9, 12 and 19 are also thought to be allowable at least by virtue of their dependence on an allowable base claim.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

Appl. No. 09/660,785

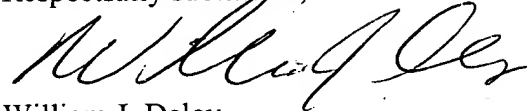
PATENT

Amdt. dated: March 2, 2006

Amendment under 37 CFR 1.116 Expedited Procedure
Examining Group 2645

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,



William J. Daley
Reg. No. 52,471

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 303-571-4000
Fax: 303-571-4321

WJD:sbm

60678877 v1